



US Army Corps
of Engineers®

Nashville District

Public Notice

Public Notice No. 07-12

Date: February 2, 2007

Application No. 200700191

Expires: February 22, 2007

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214
Attn: Floyd M. Carnes

JOINT PUBLIC NOTICE

US ARMY CORPS OF ENGINEERS

AND

TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Dredging for Boat Access and Covered Floating Boat Slips at Tennessee River Mile 48.0, Left Bank, Kentucky Lake, Calloway County, Kentucky

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899**. The dredged material described in this notice would be pumped to an upland contained disposal area.

APPLICANT: Western Shores Lot Owners Association
4 Main Street
Cadiz, Kentucky 42211

LOCATION: Tennessee River Mile 48.0, Left Bank, Kentucky Lake, Calloway County, Kentucky. USGS RUSHING CREEK KY Quadrangle
Longitude: 88-5-42.1; Latitude: 36-41-23.9

DESCRIPTION: The proposed work consists of the dredging approximately 11,500 cubic yards of material from Kentucky Lake for boat access. There are two dredging areas. The first dredging area would be 350' x 350' and located at the site of the proposed floating docks. The second dredging area would be located next to the first dredging area. The dredging in front of the proposed launching ramp would be 100' x 60' with a channel extending off of this area with a lakeward extension of 400' and a width of 30'. A 10' buffer along the existing shoreline would be maintained for the entire length of the project. The toe of both dredging areas would be at Elevation 349.5. Elevation 359.0 is the normal summer pool elevation (NSP) for Kentucky Lake. The

material would be removed by suction dredge and pumped to an upland containment area above Elevation 375.0.

The applicant also proposes to construction three covered floating boat slips for Western Shores Subdivision. The covered floating boat slips would be perpendicular to the shoreline and extend lakeward approximately 244' from NSP and be 54' wide (See Exhibit C). Each facility would be constructed of steel frame and wood decking and be anchored by spud poles. Floatation would consist of encased foam. Each facility would be able to accommodate approximately 40 boats.

In addition, the applicant proposes to construct a launching ramp.

The deposit of fill material associated with the launching ramp meets the criteria for Nationwide Permit (NWP) # 13.

The dredging would allow adequate water depth to access the proposed covered floating docks and launching ramp.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general

environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **February 22, 2007**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Floyd M. Carnes, at the above address, telephone (615) 369-7503. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Mr. Don Allsbrooks, Project Leader, Kentucky Lake Reservation, P.O. Box 280, Paris, Tennessee 38242.

If you received this notice by mail and wish to view all of the diagrams, visit our web site at:
<http://www.lrn.usace.army.mil/cof/notices.htm>, or contact Mr. Carnes at the above address or phone number.

BM LHT 1124
399

KENTUCKY

TENNESSEE

PROJECT LOCATION

ELEV 359

RIVER - CALLOWAY CO

L A

USGS TOPOGRAPHICAL MAP

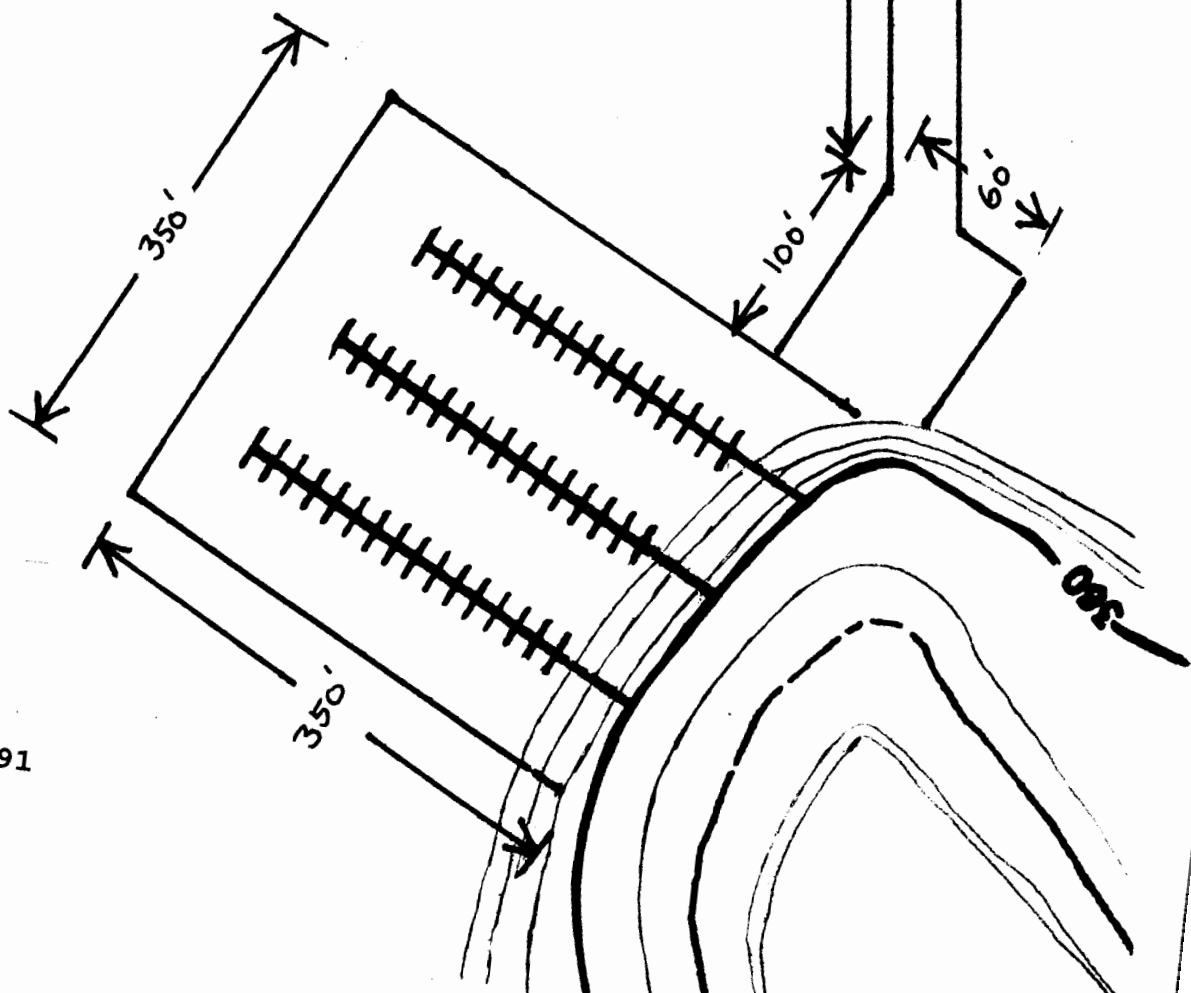
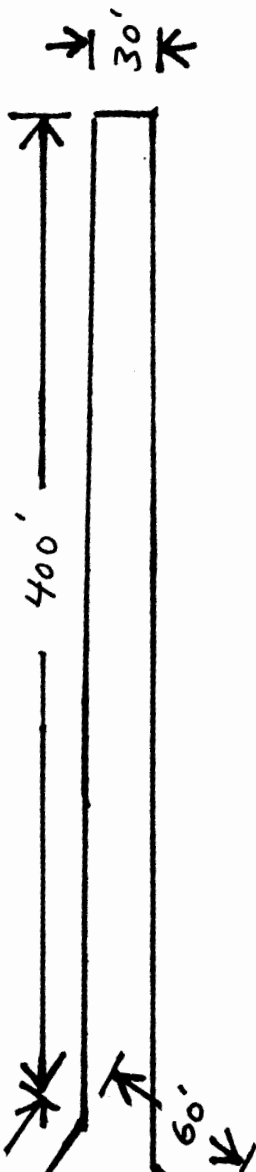
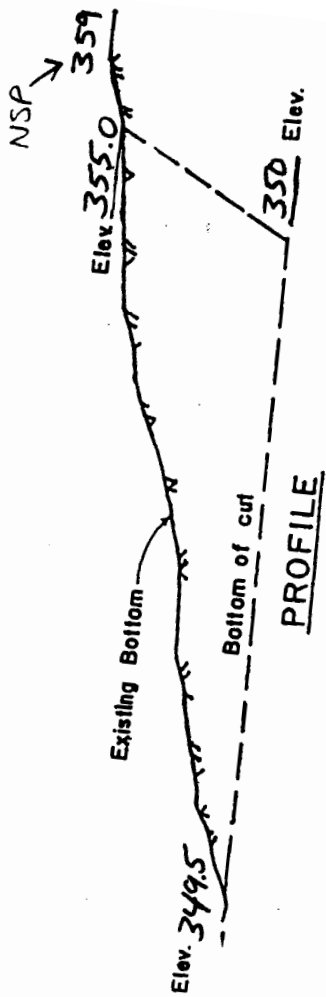
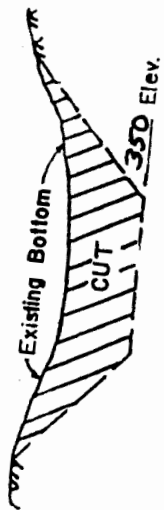
RUSHING CREEK, KY

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EXHIBIT A

BM WD 15
377



FILE NO. 200700191

07-12

EXHIBIT B

SHORELINE AT NORMAL
SUMMER WATER

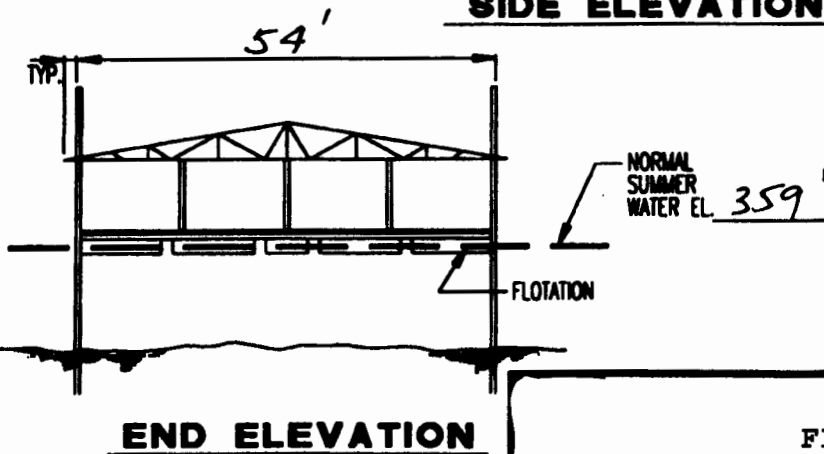
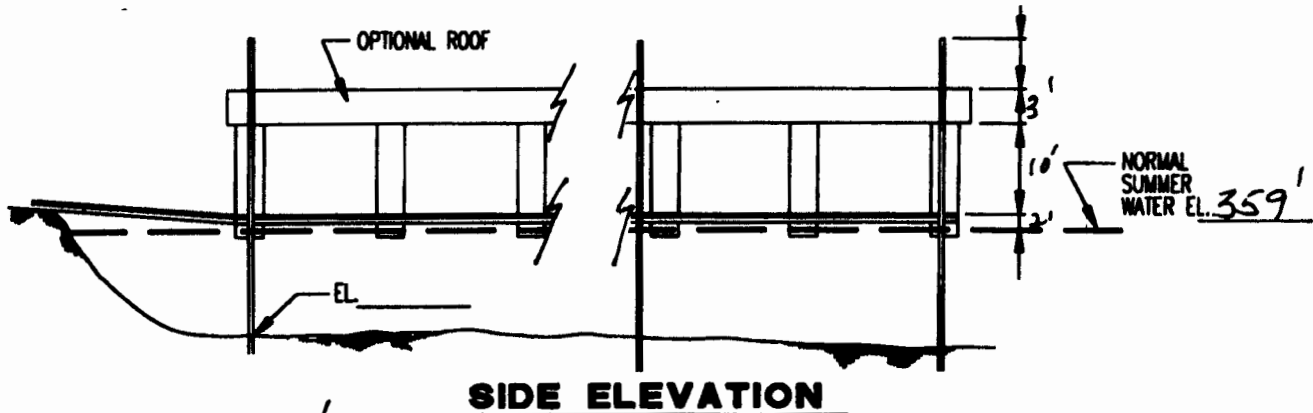
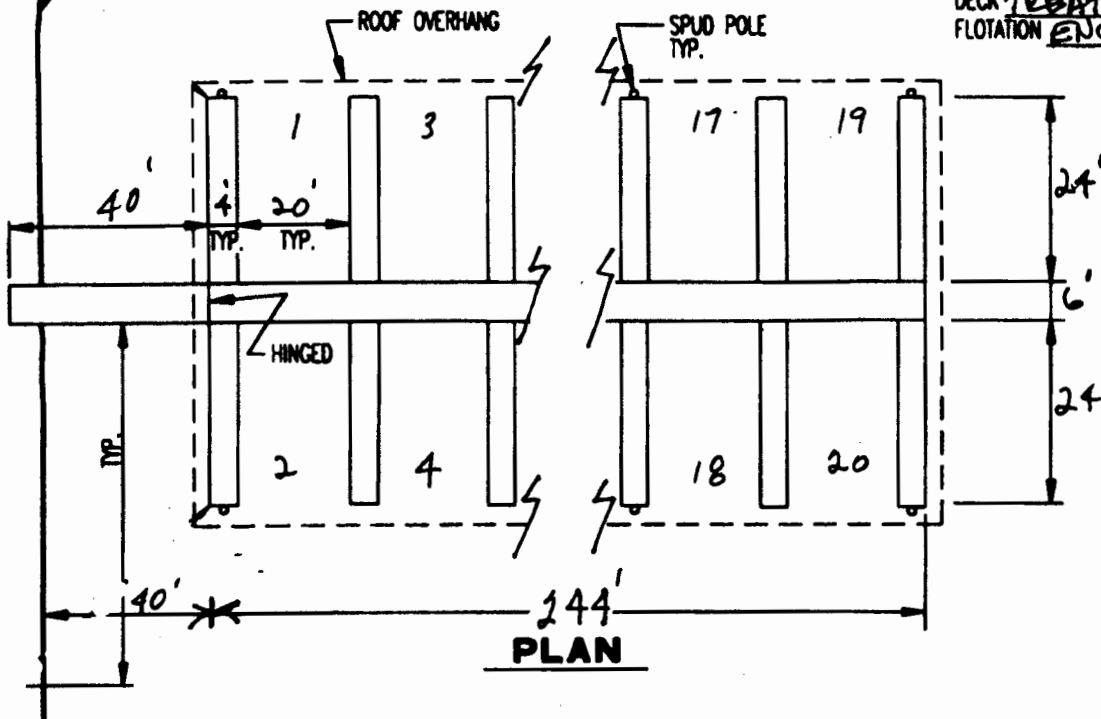
TYPE OF MATERIAL:

FRAME STEEL

ROOF METAL

DECK TREATED WOOD

FLOTATION ENCASED FORM



THE NORMAL SUMMER WATER LEVEL IS:

NORMAL
SUMMER
WATER EL. 359'

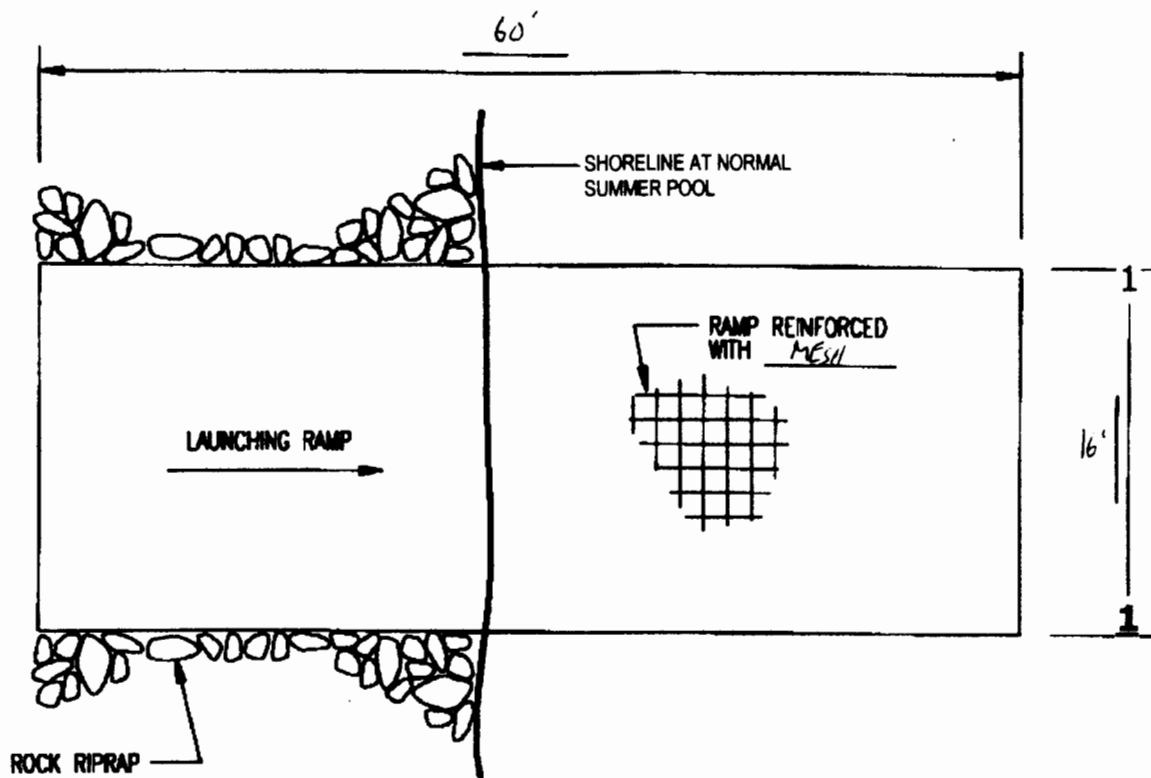
END ELEVATION

FILE NO. 200700191

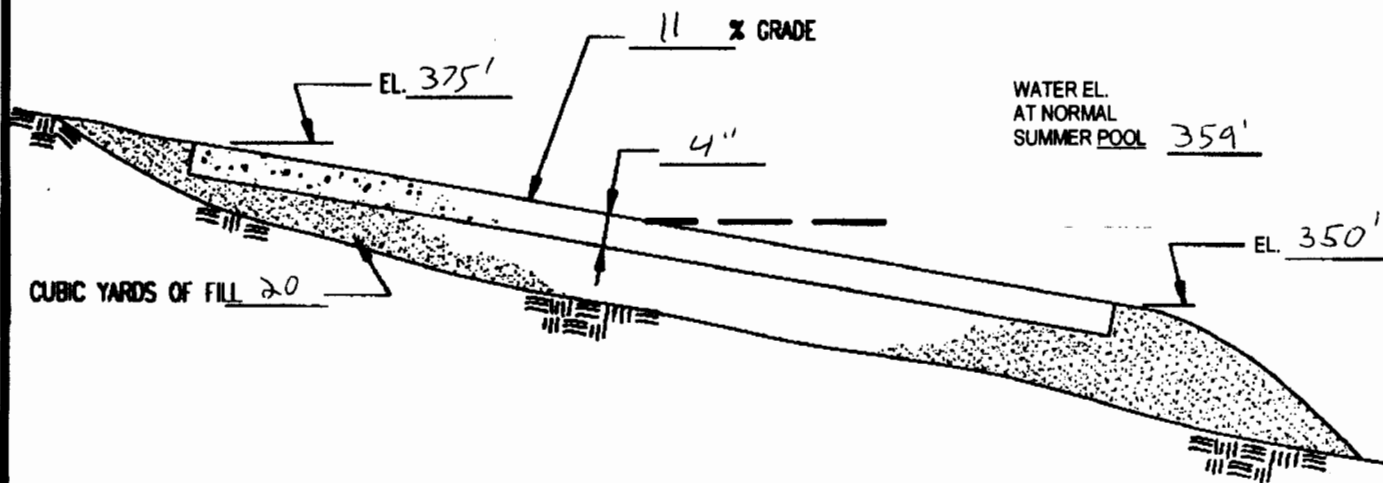
PN 07-12

EXHIBIT C

NOTE:
INCLUDE ALL DIMENSIONS AND ELEVATIONS
WHERE INDICATED.



PLAN



SECTION THRU CONCRETE RAMP

THE NORMAL SUMMER WATER LEVEL IS:

359'

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EXHIBIT D